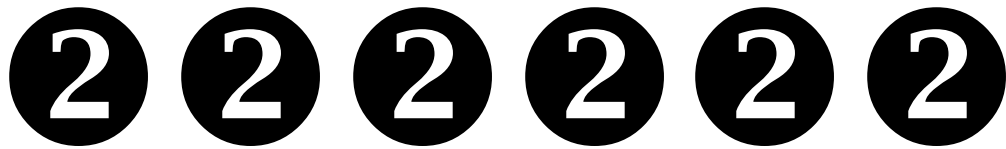


SECTION 5309 – CAPITAL PROGRAM

FOR

PUBLIC ENTITIES & NOT FOR PROFITS



Multimodal Operations Division  
Missouri Department of Transportation (MoDOT)

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## **SECTION I: INTRODUCTION**

Section 5309 of Chapter 53 of Title 49, United States Code provides federal financial assistance for buying buses and/or bus related facilities and equipment. Funds for this program are earmarked by the United States Congress to specific state and/or local projects and approved by the Federal Transit Administration.

Eligible applicants under federal law are the states, public bodies/transit operators and not-for-profit organizations. For profit corporations may participate under contract for services with any one of the above listed eligible applicants. Eligible activities under this program are bus/vehicle acquisition, purchase of equipment to maintain vehicles, bus facilities, bus transitways, transit system equipment, etc.

Section 5309 applicants' assistance can provide service to the general public, the Americans with Disabilities Act (ADA) population and/or to the elderly population. In Missouri most recipients of Section 5309 assistance serve the general public and several operators serve the elderly/ADA populations.

Since federal fiscal year 1993, Missouri's Congressional Delegation has been successful in the earmarking of Section 5309 assistance for bus improvements. The table below shows by federal fiscal year the amounts of Section 5309 assistance earmarked.

### **Bus and Bus Related**

FFY 2003	\$ 18,900,000.00	The FFY 2002 total involves several earmarks
FFY 2002	\$ 18,000,000.00	The FFY 2002 total involves several earmarks
FFY 2001	\$ 13,000,000.00	The FFY 2001 total involves several earmarks
FFY 2000	\$ 14,700,000.00	The FFY 2000 total involves several earmarks
FFY 1999	\$ 7,942,000.00	The FFY 1999 total involved three earmarks
FFY 1998	\$ 7,817,600.00	
FFY 1997	\$ 9,180,000.00	
FFY 1996	\$ 6,800,000.00	
FFY 1995	\$ 1,500,000.00	
FFY 1994	\$ 8,000,000.00	
FFY 1993	<u>\$ 5,100,000.00</u>	
TOTAL	\$110,939,600.00	

Section 5309 grants have assisted in hundreds of vehicles of all types being purchased and as a result the age of the bus fleet has been improved. Some systems have been able to expand services. Bus facilities of all types have been constructed including one that services intercity bus carriers. Equipment needed to maintain the bus fleet/facilities have been acquired.

## **FEDERAL FUNDING CYCLE**

In early January, the Missouri Department of Transportation (MoDOT) asks public transportation operators to estimate their needs for buses and bus facilities. Information received from the Section 5309, 5307, and 5311 operators is tabulated and forwarded on to the State's Congressional Delegation prior to the start of the federal budget process, which usually begins in March.

Some local organizations may receive specific congressional earmarks others may share in an undivided allocation of funds to MoDOT. In either case an application must be prepared before any funds can actually be approved. This booklet outlines the application process.

The following explains some of the relevant issues that MoDOT deals with during each grant year. MoDOT makes every effort to obtain FTA approval of grants prior to the end of March for that year's grants. Vehicle vendors will accept orders for station wagons, mini-vans, straight vans and modified vans up till they are notified not to accept additional orders. Below is a timetable showing the importance of obtaining FTA approval. Approval of grants as it relates to the ordering of the above listed vehicle types.

SCENARIO #1		SCENARIO #2	
MoDOT awards contracts to vendors	January - February	MoDOT awards contract to vendor	January - February
MoDOT orders vehicles after FTA approves grant period March 31st.	March - April	MoDOT awaits FTA grant approval	
MoDOT applicants receives vehicles	June - November	FTA (approves grant in mid-year (for example: MoDOT unable to order vehicles	
		MoDOT awards contract the following January - February	
		MoDOT orders vehicles	March
		MoDOT/applicants receives vehicles	May - November

Activities which involve facilities are more complex because planning, environmental, historical issues, and accessibility requirements come into play. The lead time for these activities can be lengthy.

## **SECTION II: GRANT APPLICATION PROCESS**

This handbook for Section 5309 assistance contains the latest federal requirements, however federal requirements do change. Applications for Section 5309 assistance are valid for a one project year; for example, MoDOT will receive applications through September 30th, of each calendar year. MoDOT makes decisions as to what will be recommended for programming. Vehicle purchases have the highest priority, however, other eligible items may be included as well. Applicants may only replace a vehicle once and the operator's spare ratio may never exceed 20%. MoDOT will inform the applicant of those aspects of its application that will be programmed for funding. Items programmed in this department's application for Section 5309 assistance indicates that the activity will be funded as long as funding is available. No item(s) is funded until actual costs are identified. An agreement is prepared for 80% of actual costs and forwarded to the applicant for execution. This process of grant contracting permits MoDOT to manage grants with the goal of using federal assistance in a timely manner so federal grants can be closed as quickly as possible. Congress monitors the Section 5309 process to ensure that Section 5309 assistance is used.

MoDOT recommends that the items listed in the budget page be listed in priority of needs, most to least important. Vehicles listings regardless of type would most likely always be most important unless specified otherwise by the applicant.

This application has been designed so that the applicant will have agreed to all existing federal laws, regulations and executive orders in a manner not requiring a signature on each page. The application is valid for one grant application cycle. Some applicants have failed to be all-inclusive in their budgets and public hearings. FTA absolutely insists on a description in the notice of public hearing that provides the public with sufficient information about the capital requests proposed by the applicant. If MoDOT is unable to program all the items in your application then those items should be "rolled over" into your next application, if these items are still needed. Each applicant is required to identify their service area and which populations they chose to serve.

For applicants who operate in the urbanized areas of Missouri, it is essential that those items listed in your project budget be listed in the Transportation Improvement Program of the local Metropolitan Planning Organization (MPO). FTA will reject MoDOT's programming of those budget items not listed accordingly.

## APPLICATION FOR SECTION 5309 CAPITAL ASSISTANCE

Project Budget Period \_\_\_\_\_

Applicant's Name \_\_\_\_\_

Street Address \_\_\_\_\_ Contact Person \_\_\_\_\_

P. O. Box \_\_\_\_\_ Telephone Number \_\_\_\_\_

City \_\_\_\_\_ Missouri ZIP \_\_\_\_\_

---

**Description of Project:** Please check appropriate box (see note below).

- ? General Public Provider
- ? Provider to Persons with ADA disabilities.
- ? Provider to persons with ADA disabilities and elderly persons

Please state hours and days of purposed service. Estimate numbers of individuals to be served and number of total one-way passenger trips to be provided with applicant's vehicle fleet. Please state if vehicles are for replacement or expansion purposes. If expansion services are being requested, you must state the reason why expansion services are needed.

Please identify your proposed service area i.e., (Example: city limits of Campton, St. Louis County) whatever is appropriate

**SEE PAGE 52 FOR BLANK APPLICATION**

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### **Proposed Funding**

Federal	_____	80%
Local	_____	20%
Total	_____	100%

---

Signature

If the applicant resides in an urbanized area of 50,000 plus population, the metropolitan planning organization in your planning area must be notified. You can contact MoDOT at (573) 751-9082 to obtain the name of the metropolitan planning organization in your area.

## CAPITAL PROJECT BUDGET/example

### CAPITAL PURCHASES

<u>Item 1</u>	Purchase of four new 25-passenger mini buses equipped with wheelchair lifts (two w/c positions per bus)	\$226,000
<u>Item 2</u>	Purchase one 15-passenger van with w/c lift and one w/c position.	\$30,000
<u>Item 3</u>	Purchase of base station radio and five mobile units	\$7,000
<u>Item 4</u>	Purchase one microcomputer	<u>\$5,000</u>
TOTAL		\$268,000

Federal Share	80%	\$214,600
Local Share	20%	<u>53,600</u>
	TOTAL	\$268,000

\*\*Purchase of land, architectural and engineering services construction of facilities and/or purchases of facilities are eligible items.

## **SAMPLE VEHICLE ROSTER**

All vehicles being requested are for replacement purposes  
and/or  
Expansion of Service is Anticipated

<b>Model Year</b>	<b>Type of Vehicle</b>	<b>Mileage</b>	<b>Current Status of vehicle</b>	<b>Will vehicle be replaced or not</b>
1983	Van	120,000	Active	no
1984	Van/Mini-Bus	143,000	Active	yes
1985	School Bus	180,000	Back-up	yes
1986	Van	101,000	Active	no
1987	Van	99,000	Active	no

In this sample, the spare ratio is 20%. Each Applicant must compute their spare ratio. Federal funds will not support vehicle acquisitions that result in a spare ratio greater than 20%.

If an applicant operates a fixed route system, please indicate how many vehicles are needed to operate peak period service. **The Missouri Department of Transportation will not apply for vehicles, if the applicant's vehicle spare ratio exceeds 20%.**

List the VIN's of the vehicles to be replaced.

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____



## **AUTHORIZING RESOLUTION EXAMPLE**

### **RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE MISSOURI DEPARTMENT OF TRANSPORTATION FOR A GRANT UNDER CHAPTER 53 (5309) of Title 49, U.S.C.**

WHEREAS, the Missouri Department of Transportation is authorized to make grants for mass transportation projects.

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of the project costs; and,

NOW THEREFORE, be it resolved by the \_\_\_\_\_ (applicant) \_\_\_\_\_:

1. That \_\_\_\_\_ (name) \_\_\_\_\_, \_\_\_\_\_ (title) \_\_\_\_\_ is authorized to file an application and a grant contract for FTA Section 5309 funds, on behalf of the \_\_\_\_\_ (applicant) \_\_\_\_\_ with the Missouri Department of Transportation to in part aid the financing of transportation capital improvements.

### **CERTIFICATE**

The undersigned duly qualified and recording officer of the (APPLICANT) certifies that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the (APPLICANT) held on (DATE).

Official Seal:

\_\_\_\_\_  
Attesting Officer

Date

\_\_\_\_\_

**SAMPLE**  
**LEGAL OPINION**

Date\_\_\_\_\_

TO: (President of the Board  
whichever is appropriate)

Dear :

This communication will serve as the requisite opinion of counsel to be filed with the Missouri Department of Transportation in connection with the application of name of applicant for financial assistance pursuant to the provisions of Section 53, Title 49, United States Code. name of applicant has the legal authority and ability to carry out the project directly, by lease, contract, or otherwise is set forth below:

1. name of applicant is authorized under Chapter 355, RSMo 1969, as amended, to provide and assist public transportation by acquisition and operation of existing transit services. This assistance may be provided directly by the name of applicant and/or purchase of service or lease arrangements with other parties.
2. I have reviewed the pertinent federal, state, and local laws, and I am of the opinion that there is no legal impediment to your making this application. Furthermore, as a result of my examinations, I find that there is no pending or threatened litigation which might in any way adversely affect the proposed project, or the ability of name of applicant to carry it out.

Respectfully submitted,

Attorney

## COMMITMENT OF LOCAL SHARE EXAMPLE

The \_\_\_\_\_ assumes that the local contribution \_\_\_\_\_  
name of applicant  
will be provided from non federal funds excluding other federal funds (unless otherwise authorized such as [CDBG]).

(Note: If funds are not currently available describe expected source and when funding is expected.)

It is further understood that no refund or reduction of the local contribution shall be made at any time unless there is at the same time a reduction of a proportional amount of the federal grant.

\_\_\_\_\_  
signature

## **PUBLIC HEARING REQUIREMENT**

All applicants for Section 5309 Assistance are required to schedule a public hearing on the proposed Section 5309 project. The intent of the public hearing is notification the public of the transportation activities the applicant wishes to carry out under the Section 5309 project. The public hearing process should begin two months prior to the submission of your application and involves the posting of two notices regarding the hearing in a local general circulation newspaper.

Applicants must post the **first notice** regarding a public hearing no less than 30 days before the scheduled date of the public hearing.

MoDOT recommends that the **second notice appear within three days of the first notice.**

A copy of the publisher's affidavit is required in your application.

If you are required to hold a public hearing, we must have a certified copy of the verbatim hearing transcript.

NOTE: If no person(s) request to appear or submit written or oral testimony three days before the scheduled date of the public hearing, the applicant is not required to hold the public hearing but must complete the certification on page 12 and submit it and the publishers' affidavit with your Section 5309 application.

## NOTICE OF PUBLIC HEARING EXAMPLE

Notice is hereby given that a public hearing will be held by name of applicant, on July 15, 20    , at 7:00 p.m. to consider a project partially funded by the Missouri Department of Transportation, pursuant to Section 5309, for the following purpose.

1. Purchase of four buses, one van, radio communication system and one microcomputer. The vehicles will be wheelchair lift equipped and will have two-way radios.
2. The location of the project will be address to serve the name of applicant, (describe the proposed service area).
3. The total estimated cost of the project is  

	\$268,000
Federal Funds	214,600
Local Funds	53,600
4. The source of the local match will originate from non-federal funding sources.
5. Persons with disabilities requiring special accommodations should notify name of applicant at telephone # so name of applicant can provide proper accommodations.
6. At the hearing, name of applicant will afford an opportunity for interested persons or agencies to be heard regarding social, economic and environmental aspects of the project. Interested persons may submit oral or written evidence and recommendations with respect to said project. If no person(s) request to give either oral or written statements three days prior to the public hearing, the applicant is not required to hold the public hearing.
7. Private for profit transportation providers interested in participating in the proposed service may request information concerning the project from the applicant.
8. This proposed program of projects shall constitute the final program of projects, if no persons request to give an oral or written statement.
9. Any person requesting information may contact name of applicant at telephone #

**\*\*\*\*\*The following certification is required by applicant if no person(s) requested to appear before public hearing.**

**DATE:** \_\_\_\_\_

I, \_\_\_\_\_, certify that an opportunity to hold a public hearing was afforded and that no person(s) requested to appear before or submit written testimony on this grant application.

## **SECTION III: CERTIFICATIONS AND ASSURANCES REQUIRED OF APPLICANT**

***This form needs to be checked and signed by the appropriate official of the applicant.***

**This is done so signatures are not required throughout the application.**

**The following pages/text explain each federal requirement that the applicant certifies.**

The Applicant assures that it will comply with all applicable Federal statutes, regulations, executive orders, FTA circulars, and other Federal administrative requirements in carrying out any grant or cooperative agreement awarded by FTA. The Applicant acknowledges that it is under a continuing obligation to comply with the terms and conditions of the grant or cooperative agreement issued for its approved project with FTA. The Applicant understands that Federal laws, regulations, policies, and administrative practices might be modified from time to time and affect the implementation of the project. The Applicant agrees that the most recent Federal requirements will apply to the project, unless FTA issues a written determination otherwise.

		<b>PAGE #</b>	<b>?</b>
Certificate of Compliance Authority of Applicant & its Representative	49 U.S.C. 5323 (n)	16	
Certificate of Compliance Standard Assurances	49 USC 5323(n)	16	
Certificate of Compliance Debarment, Suspension, and other Matters for Primary Covered Transactions	49 CFR 29.510	16	
Certificate of Compliance Drug-Free Workplace Agreement	49 CFR Part 29 (f) 49 U.S.C. 702	17	
Certificate of Compliance Intergovernmental Review Assurance	49 CFR Part 17	18	
Certificate of Compliance Nondiscrimination Assurance	49 U.S.C. 5332 49 CFR Part 21 42 U.S.C. 2000d FTA Circular 4702.1	18	
Certificate of Compliance Disadvantaged Business Enterprise Assurance	49 CFR Part 26 31 U.S.C. 3801 et seq.	19	
Certificate of Compliance Assurance of Nondiscrimination on the basis of Disability	49 CFR 27.9 29 U.S.C. 794, et seq. ADA of 1990, 43 U.S.C. 12101 49 CFR Parts 27,37, and 38	20	
Certificate of Compliance Procurement Compliance Certificate	FTA Circular 4220.1D	20	

Certificate of Compliance Assurances Required by the U.S. Office of Management and Budget	(see language in following description) SF-424B and SF-424D	20	
Certificate of Compliance Public Hearing	49 U.S.C. 5323 (b)	25	
Certificate of Compliance Acquisition of Rolling Stock	49 U.S.C. 5323 (m) 49 CFR Part 663	25	
Certificate of Compliance Bus Testing	49 CFR 665.7	25	
Certificate of Compliance Charter Service Agreement	49 U.S.C. 5323 (d) 49 CFR 604.7	26	
Certification of Compliance School Transportation Agreement	49 U.S.C. 53 49 CFR 605.14	26	
Certification of Compliance Demand Responsive Service	49 CFR 37.77	27	
Certificate of Compliance Alcohol Misuse and Prohibited Drug Use	49 CFR Part 655	27	
Certificate of Compliance Interest of Other Financing Costs	49 U.S.C. 5307 (g), 49 U.S.C. 5309 (g)(2)(B), 49 U.S.C. 5309 (g)(3)(A), 49 U.S.C. 5309 (n)	28	
Certificate of Compliance Intelligent Transportation Systems Program (ITS)	66 FR 1459	28	
Certificate of Compliance Required for Capital Leasing	49 CFR 639.15(b)(1), 49 CFR 639.21, 49 USC 5309	28	
Certificate of Compliance Sole Source Acquisition of an Associated Capital Maintenance Item	49 U.S.C. 5325(c)	29	
Certificate of Compliance Clean Fuels Formula Grant Program	49 U.S.C. 5308	29	

The \_\_\_\_\_ agrees to all  
certifications, conditions and assurances listed above.

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

## **LANGUAGE FOR EACH CERTIFICATION AND ASSURANCE LISTED ABOVE**

### **1. Authority of Applicant and Its Representative**

The authorized representative of the Applicant and the attorney who sign these certifications, assurances, and agreements affirm that both the Applicant and its authorized representative have adequate authority under applicable state and local law and the Applicant's by-laws or internal rules to:

- (1) Execute and file the application for Federal assistance on behalf of the Applicant;
- (2) Execute and file the required certifications, assurances, and agreements on behalf of the Applicant binding the Applicant; and
- (3) Execute grant agreements and cooperative agreements with FTA on behalf of the Applicant.

### **2. Standard Assurances**

The Applicant assures that it will comply with all applicable Federal statutes, regulations, executive orders, FTA circulars, and other Federal requirements in carrying out any project supported by an FTA grant or cooperative agreement. The Applicant agrees that it is under a continuing obligation to comply with the terms and conditions of the grant agreement or cooperative agreement issued for its project with FTA. The Applicant recognizes that Federal laws, regulations, policies, and administrative practices may be modified from time to time and those modifications may affect project implementation. The Applicant agrees that the most recent Federal requirements will apply to the project, unless FTA issues a written determination otherwise.

### **3. Debarment, Suspension, and Other Responsibility Matters for Primary Covered Transactions**

As required by U.S. DOT regulations regarding Governmentwide Debarment and Suspension (Nonprocurement) at 49 CFR 29.510:

- (1) The Applicant (Primary Participant) certifies, to the best of its knowledge and belief, that it and its principals:
  - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
  - (b) Have not, within a three (3) year period preceding this certification, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state, or local) transaction or contract under a public transaction, violation of Federal or state antitrust statutes, or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;



- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, state, or local with commission of any of the offenses listed in subparagraph (1)(b) of this certification; and
  - (d) Have not within a three-year period preceding this certification had one or more public transactions (Federal, state, or local) terminated for cause or default.
- (2) The Applicant also certifies that, if it later becomes aware of any information contradicting the statements of paragraph (1) above, it will promptly provide that information to FTA.
- (3) If the Applicant (Primary Participant) is unable to certify to all statements in paragraphs (1) and (2) of this certification, it shall indicate so in its applications, or in the transmittal letter or message accompanying its annual certifications and assurances, and provide a written explanation to FTA.

#### **4. Drug-Free Workplace Agreement**

As required by U.S. DOT regulations, "Drug-Free Workplace Requirements (Grants)," 49 CFR part 29, Subpart F, and as modified by 41 U.S.C. 702, the Applicant agrees that it will provide a drug-free workplace by:

- (1) Publishing a statement notifying its employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in its workplace and specifying actions that will be taken against its employees for violation of that prohibition;
- (2) Establishing an ongoing drug-free awareness program to inform its employees about:
  - (a) The dangers of drug abuse in the workplace;
  - (b) Its policy of maintaining a drug-free workplace;
  - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
  - (d) The penalties that may be imposed upon its employees for drug abuse violations occurring in the workplace;
- (3) Making it a requirement that each of its employees to be engaged in the performance or implementation of the grant agreement or cooperative agreement be given a copy of the statement required by paragraph (1) of this certification;
- (4) Notifying each of its employees in the statement required by paragraph (1) of this certification that, as a condition of employment financed with Federal assistance provided by the grant agreement or cooperative agreement, the employee will be required to:
  - (a) Abide by the terms of the statement; and
  - (b) Notify the employer (Applicant) in writing of any conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after that conviction;
- (5) Notifying FTA in writing, within ten (10) calendar days after receiving notice required by paragraph (4)(b) above from an employee or otherwise receiving actual notice of that conviction; the Applicant, as employer of any convicted employee, must provide notice, including position title, to every project officer

or other designee on whose project activity the convicted employee was working, and that notice shall include the identification number(s) of each affected grant agreement or cooperative agreement;

(6) Taking one of the following actions within thirty (30) calendar days of receiving notice under paragraph (4)(b) of this agreement with respect to any employee who is so convicted:

(a) Taking appropriate personnel action against that employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(b) Requiring that employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, state, or local health, law enforcement, or other appropriate agency; and

(7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), (5), and (6) of this agreement. The Applicant agrees to maintain a list identifying its headquarters location and each workplace it maintains in which project activities supported by FTA are conducted, and make that list readily accessible to FTA.

## **5. Intergovernmental Review Assurance**

The Applicant assures that each application for Federal assistance it submits to FTA has been or will be submitted for intergovernmental review to the appropriate state and local agencies in accordance with applicable state requirements. The Applicant also assures that it has fulfilled or will fulfill the obligations imposed on FTA by U.S. DOT regulations, "Intergovernmental Review of Department of Transportation Programs and Activities," 49 CFR Part 17.

## **6. Nondiscrimination Assurance**

As required by 49 U.S.C. 5332 (which prohibits discrimination on the basis of race, color, creed, national origin, sex, or age, and prohibits discrimination in employment or business opportunity), Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d, and U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act," 49 CFR part 21 at 21.7, the Applicant assures that it will comply with all requirements of 49 CFR part 21; FTA Circular 4702.1, "Title VI Program Guidelines for Federal Transit Administration Recipients", and other applicable directives, so that no person in the United States, on the basis of race, color, national origin, creed, sex, or age will be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity (particularly in the level and quality of transportation services and transportation-related benefits) for which the Applicant receives Federal assistance awarded by the U.S. DOT or FTA as follows:

(1) The Applicant assures that each project will be conducted, property acquisitions will be undertaken, and project facilities will be operated in

accordance with all applicable requirements of 49 U.S.C. 5332 and 49 CFR part 21, and understands that this assurance extends to its entire facility and to facilities operated in connection with the project.

(2) The Applicant assures that it will take appropriate action to ensure that any transferee receiving property financed with Federal assistance derived from FTA will comply with the applicable requirements of 49 U.S.C. 5332 and 49 CFR part 21.

(3) The Applicant assures that it will promptly take the necessary actions to effectuate this assurance, including notifying the public that complaints of discrimination in the provision of transportation-related services or benefits may be **filed** with U.S. DOT or FTA. Upon request by U.S. DOT or FTA, the Applicant assures that it will submit the required information pertaining to its compliance with these requirements.

(4) The Applicant assures that it will make any changes in its 49 U.S.C. 5332 and Title VI implementing procedures as U.S. DOT or FTA may request.

(5) As required by 49 CFR 21.7(a)(2), the Applicant will include in each third party contract or subagreement provisions to invoke the requirements of 49 U.S.C. 5332 and 49 CFR part 21, and include provisions to invoke those requirements in deeds and instruments recording the transfer of real property, structures, improvements.

## **7. Disadvantaged Business Enterprise Assurance**

In accordance with 49 CFR 26.13(a), the Recipient assures that it shall not discriminate on the basis of race, color, national origin, or sex in the implementation of the project and in the award and performance of any third party contract, or sub agreement supported with Federal assistance derived from the U.S. DOT or in the administration of its Disadvantaged Business Enterprise (DBE) program or the requirements of 49 CFR part 26. The Recipient assures that it shall take all necessary and reasonable steps set forth in 49 CFR part 26 to ensure nondiscrimination in the award and administration of all third party contracts and subagreements supported with Federal assistance derived from the U.S. DOT. The Recipient's DBE program, as required by 49 CFR part 26 and approved by the U.S. DOT, will be incorporated by reference and made part of the grant agreement or cooperative agreement for any Federal assistance awarded by FTA or U.S. DOT. Implementation of this DBE program is a legal obligation of the Recipient, and failure to carry out its terms shall be treated as a violation of the grant agreement or cooperative agreement. Upon notification by the Government to the Recipient of its failure to implement its approved DBE program, the U.S. DOT may impose sanctions as provided for under 49 CFR part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001, and/or the Program Fraud Civil Remedies Act, 31 U.S.C. 3801 et seq.

## **8. Assurance of Nondiscrimination on the Basis of Disability**

As required by U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," at 49 CFR 27.9, the Applicant assures that, as a condition to the approval or extension of any Federal assistance awarded by FTA to construct any facility, obtain any rolling stock or other equipment, undertake studies, conduct research, or to participate in or obtain any benefit from any program administered by FTA, no otherwise qualified person with a disability shall be, solely by reason of that disability, excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity receiving or benefiting from Federal assistance administered by the FTA or any entity within U.S. DOT. The Applicant assures that project implementation and operations so assisted will comply with all applicable requirements of U.S. DOT regulations implementing the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, et seq., and the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 et seq., and implementing U.S. DOT regulations at 49 CFR parts 27, 37, and 38, and any applicable regulations and directives issued by other Federal departments or agencies.

## **9. Procurement Compliance Certification**

The Applicant certifies that its procurements and procurement system will comply with all applicable requirements imposed by Federal laws, executive orders, or regulations and the requirements of FTA Circular 4220.1D, "Third Party Contracting Requirements," as amended and revised, as well as other requirements FTA may issue. The Applicant certifies that it will include in its contracts financed in whole or in part with FTA assistance all clauses required by Federal laws, executive orders, or regulations, and will ensure that each subrecipient and each contractor will also include in its subagreements and contracts financed in whole or in part with FTA assistance all applicable clauses required by Federal laws, executive orders, or regulations.

## **10. Certifications and Assurances Required by the U.S. Office of Management and Budget (SF-424B and SF-424D)**

As required by the U.S. Office of Management and Budget (OMB), the Applicant certifies that it:

- (1) Has the legal authority to apply for Federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in its application;
- (2) Will give FTA, the Comptroller General of the United States, and, if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award;

and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives;

(3) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain;

(4) Will initiate and complete the work within the applicable project time periods following receipt of FTA approval;

(5) Will comply with all applicable Federal statutes relating to nondiscrimination including, but not limited to:

- (a) Title VI of the Civil Rights Act, 42 U.S.C. 2000d, which prohibits discrimination on the basis of race, color, or national origin;
- (b) Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 through 1683, and 1685 through 1687, and U.S. DOT regulations, "Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance," 49 CFR part 25, which prohibit discrimination on the basis of sex;
- (c) Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, which prohibits discrimination on the basis of handicap;
- (d) The Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 through 6107, which prohibits discrimination on the basis of age;
- (e) The Drug Abuse Office and Treatment Act of 1972, Pub. L. 92- 255, March 21, 1972, and amendments thereto, 21 U.S.C. 1174 et seq. relating to nondiscrimination on the basis of drug abuse;
- (f) The Comprehensive Alcohol Abuse and Alcoholism Prevention Act of 1970, Pub. L. 91-616, Dec. 31, 1970, and amendments thereto, 42 U.S.C. 4581 et seq. relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
- (g) The Public Health Service Act of 1912, as amended, 42 U.S.C. 290dd-3 and 290ee-3, related to confidentiality of alcohol and drug abuse patient records;
- (h) Title VIII of the Civil Rights Act, 42 U.S.C. 3601 et seq., relating to nondiscrimination in the sale, rental, or financing of housing;
- (i) Any other nondiscrimination provisions in the specific statutes under which Federal assistance for the project may be provided including, but not limited, to 49 U.S.C. 5332, which prohibits discrimination on the basis of race, color, creed, national origin, sex, or age, and prohibits discrimination in employment or business opportunity, and section 1101(b) of the Transportation Equity Act for the 21st Century, 23 U.S.C. 101 note, which provides for participation of disadvantaged business enterprises in FTA programs; and
- (j) Any other nondiscrimination statute(s) that may apply to the project;

(6) Will comply with, or has complied with, the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (Uniform Relocation Act) 42 U.S.C. 4601 et seq., which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in any purchase. As required by sections 210

and 305 of the Uniform Relocation Act, 42 U.S.C. 4630 and 4655, and U.S. DOT regulations, ``Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR 24.4, the Applicant assures that it has the requisite authority under applicable state and local law to comply with the requirements of the Uniform Relocation Act, 42 U.S.C. 4601 et seq., and U.S. DOT regulations, ``Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR part 24, and will comply with or has complied with that Act and those U.S. DOT implementing regulations, including but not limited to the following:

- (a) The Applicant will adequately inform each affected person of the benefits, policies, and procedures provided for in 49 CFR part 24;
  - (b) The Applicant will provide fair and reasonable relocation payments and assistance as required by 42 U.S.C. 4622, 4623, and 4624; 49 CFR part 24; and any applicable FTA procedures, to or for families, individuals, partnerships, corporations, or associations displaced as a result of any project financed with FTA assistance;
  - (c) The Applicant will provide relocation assistance programs offering the services described in 42 U.S.C. 4625 to such displaced families, individuals, partnerships, corporations, or associations in the manner provided in 49 CFR part 24 and FTA procedures;
  - (d) Within a reasonable time before displacement, the Applicant will make available comparable replacement dwellings to displaced families and individuals as required by 42 U.S.C. 4625(c)(3);
  - (e) The Applicant will carry out the relocation process in such a manner as to provide displaced persons with uniform and consistent services, and will make available replacement housing in the same range of choices with respect to such housing to all displaced persons regardless of race, color, religion, or national origin;
  - (f) In acquiring real property, the Applicant will be guided to the greatest extent practicable under state law, by the real property acquisition policies of 42 U.S.C. 4651 and 4652;
  - (g) The Applicant will pay or reimburse property owners for necessary expenses as specified in 42 U.S.C. 4653 and 4654, with the understanding that FTA will provide Federal financial assistance for the Applicant's eligible costs of providing payments for those expenses, as required by 42 U.S.C. 4631;
  - (h) The Applicant will execute such amendments to third party contracts and subagreements financed with FTA assistance and execute, furnish, and be bound by such additional documents as FTA may determine necessary to effectuate or implement the assurances provided herein; and
  - (i) The Applicant agrees to make these assurances part of or incorporate them by reference into any third party contract or subagreement, or any amendments thereto, relating to any project financed by FTA involving relocation or land acquisition and provide in any affected document that these relocation and land acquisition provisions shall supersede any conflicting provisions;
- (7) To the extent applicable, will comply with the Davis-Bacon Act, as amended, 40 U.S.C. 276a through 276a(7), the Copeland Act, as amended, 18 U.S.C. 874

and 40 U.S.C. 276c, and the Contract Work Hours and Safety Standards Act, as amended, 40 U.S.C. 327 through 333, regarding labor standards for federally assisted subagreements;

(8) To the extent applicable, will comply with the flood insurance purchase requirements of section 102(a) of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012a(a), requiring recipients in a special flood hazard area to participate in the program and purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more;

(9) Will comply with the Lead-Based Paint Poisoning Prevention Act, 42 U.S.C. 4831(b), which prohibits the use of lead-based paint in construction or rehabilitation of residence structures;

(10) Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities on which a construction project supported with FTA assistance takes place without permission and instructions from the awarding agency;

(11) Will record the Federal interest in the title of real property in accordance with FTA directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project;

(12) Will comply with FTA requirements concerning the drafting, review, and approval of construction plans and specifications of any construction project supported with FTA assistance. As required by U.S. DOT regulations, "Seismic Safety," 49 CFR 41.117(d), before accepting delivery of any building financed with FTA assistance, it will obtain a certificate of compliance with the seismic design and construction requirements of 49 CFR part 41;

(13) Will provide and maintain competent and adequate engineering supervision at the construction site of any project supported with FTA assistance to ensure that the complete work conforms with the approved plans and specifications, and will furnish progress reports and such other information as may be required by FTA or the state;

(14) Will comply with any applicable environmental standards that may be prescribed to implement the following Federal laws and executive orders:

(a) Institution of environmental quality control measures under the National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321 et seq. and Executive Order No. 11514, as amended, 42 U.S.C. 4321 note;

(b) Notification of violating facilities pursuant to Executive Order No. 11738, 42 U.S.C. 7606 note;

(c) Protection of wetlands pursuant to Executive Order No. 11990, 42 U.S.C. 4321 note;

(d) Evaluation of flood hazards in floodplains in accordance with Executive Order 11988, 42 U.S.C. 4321 note;

(e) Assurance of project consistency with the approved state management program developed pursuant to the requirements of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1451 et seq.;

(f) Conformity of Federal actions to State (Clean Air) Implementation Plans under section 176(c) of the Clean Air Act of 1955, as amended, 42 U.S.C. 7401 et seq.;

- (g) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, 42 U.S.C. 300h et seq.;
- (h) Protection of endangered species under the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 et seq.; and
- (i) Environmental protections for Federal transportation programs, including, but not limited to, protections for parks, recreation areas, or wildlife or waterfowl refuges of national, state, or local significance or any land from a historic site of national, state, or local significance that will be used in a transportation project as required by 49 U.S.C. 303;
- (j) Protection of the components of the national wild and scenic rivers systems, as required under the Wild and Scenic Rivers Act of 1968, as amended, 16 U.S.C. 1271 et seq.; and
- (k) Provision of assistance to FTA in assuring compliance with section 106 of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470f; the Archaeological and Historic Preservation Act of 1974, as amended, 16 U.S.C. 469a-1 et seq.; and Executive Order No. 11593 (identification and protection of historic properties), 16 U.S.C. 470 note;
- (15) To the extent applicable, will comply with the requirements of the Hatch Act, 5 U.S.C. 1501 through 1508, and 7324 through 7326, which limit the political activities of state and local agencies and their officers and employees whose primary employment activities are financed in whole or part with Federal funds including a Federal loan, grant agreement, or cooperative agreement except, in accordance with 23 U.S.C. 142(g), the Hatch Act does not apply to a nonsupervisory employee of a transit system (or of any other agency or entity performing related functions) receiving FTA assistance to whom that Act does not otherwise apply;
- (16) Will comply with the National Research Act, Pub. L. 93-348, July 12, 1974, as amended, 42 U.S.C. 289 et seq., and U.S. DOT regulations, "Protection of Human Subjects," 49 CFR part 11, regarding the protection of human subjects involved in research, development, and related activities supported by Federal assistance;
- (17) Will comply with the Laboratory Animal Welfare Act of 1966, as amended, 7 U.S.C. 2131 et seq., and U.S. Department of Agriculture regulations, "Animal Welfare," 9 CFR subchapter A, parts 1, 2, 3, and 4, regarding the care, handling, and treatment of warm blooded animals held or used for research, teaching, or other activities supported by Federal assistance;
- (18) Will have performed the financial and compliance audits as required by the Single Audit Act Amendments of 1996, 31 U.S.C. 7501 et seq. and by OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations," and OMB A-133 Compliance Supplement provisions for the Department of Transportation, March 2002; and
- (19) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing the project.



## **11. Public Hearing**

An Applicant seeking Federal assistance authorized by 49 U.S.C. Chapter 53 for a capital project that will substantially affect a community or a community's mass transportation service must provide the following certification. FTA may not award Federal assistance for that type of project until the Applicant provides this certification by selecting Category ``04."

As required by 49 U.S.C. 5323(b), the Applicant certifies that it has, or before submitting its application, it will have:

A. Provided an adequate opportunity for a public hearing with adequate prior notice of the proposed project published in a newspaper of general circulation in the geographic area to be served;

B. Held that hearing and provided FTA a transcript or detailed report summarizing the issues and responses, unless no one with a significant economic, social, or environmental interest requests a hearing;

C. Considered the economic, social, and environmental effects of the project; and

D. Determined that the project is consistent with official plans for developing the urban area.

## **12. Acquisition of Rolling Stock**

An Applicant seeking FTA assistance to acquire rolling stock must provide the following certification. FTA may not provide assistance to acquire rolling stock until the Applicant provides this certification by selecting Category ``05."

As required by 49 U.S.C. 5323(m) and implementing FTA regulations at 49 CFR 663.7, the Applicant certifies that it will comply with the requirements of 49 CFR part 663 when procuring revenue service rolling stock. Among other things, the Applicant agrees to conduct or cause to be conducted the requisite pre-award and post-delivery reviews, and maintain on file the certifications required by 49 CFR part 663, subparts B, C, and D.

## **13. Bus Testing**

An Applicant seeking FTA assistance to acquire any new bus model or any bus model with a new major change in configuration or components must provide the following certification. FTA may not provide assistance for the acquisition of new buses until the Applicant provides this certification by selecting Category ``06."

As required by FTA regulations, ``Bus Testing," at 49 CFR 665.7, the Applicant certifies that before expending any Federal assistance to acquire the first bus of any new bus model or any bus model with a new major change in configuration or components, or before authorizing final acceptance of that bus (as described in 49 CFR part 665), the bus model:

A. Will have been tested at a bus testing facility approved by FTA; and

B. Will have received a copy of the test report prepared on the bus model.

#### **14. Charter Service Agreement**

An Applicant seeking FTA assistance to acquire or operate transportation equipment or facilities using Federal assistance authorized by 49 U.S.C. chapter 53 (except 49 U.S.C. 5310), or Title 23, U.S.C. must enter into the following Charter Service Agreement. FTA may not provide assistance for projects authorized by 49 U.S.C. chapter 53 (except 49 U.S.C. 5310), or Title 23, U.S.C. until the Applicant enters into this charter service agreement by selecting Category ``07."

A. As required by 49 U.S.C. 5323(d) and FTA regulations, ``Charter Service," at 49 CFR 604.7, the Applicant agrees that it and its recipients will:

(1) Provide charter service that uses equipment or facilities acquired with Federal assistance authorized by 49 U.S.C. chapter 53 (except 49 U.S.C. 5310), or Title 23, U.S.C., only to the extent that there are no private charter service operators willing and able to provide the charter service that it or its recipients desire to provide, unless one or more of the exceptions in 49 CFR 604.9 applies; and

(2) Comply with the requirements of 49 CFR part 604 before providing any charter service using equipment or facilities acquired with Federal assistance authorized by 49 U.S.C. chapter 53 (except 49 U.S.C. 5310), or Title 23, U.S.C. for transportation projects.

B. As The Applicant understands that:

(1) The requirements of 49 CFR part 604 will apply to any charter service it provides;

(2) The definitions of 49 CFR part 604 apply to this charter service agreement; and

(3) A violation of this charter service agreement may require corrective measures and imposition of penalties, including debarment from the receipt of further Federal assistance for transportation.

#### **15. School Transportation Agreement**

An Applicant seeking FTA assistance to acquire or operate transportation facilities and equipment using Federal assistance authorized by 49 U.S.C. chapter 53 or Title 23, U.S.C. must enter into the following School Transportation Agreement. FTA may not provide assistance for such projects until the Applicant enters into this agreement by selecting Category ``08."

A. As required by 49 U.S.C. 5323(f) and FTA regulations, ``School Bus Operations," at 49 CFR 605.14, the Applicant agrees that it and all its recipients will:

(1) Engage in school transportation operations in competition with private school transportation operators only to the extent permitted by 49 U.S.C. 5323(f), and Federal regulations; and

(2) Comply with the requirements of 49 CFR part 605 before providing any school transportation using equipment or facilities acquired with Federal assistance awarded by FTA and authorized by 49 U.S.C. chapter 53 or Title 23 U.S.C. for transportation projects.

B. As The Applicant understands that:

(1) The requirements of 49 CFR part 605 will apply to any school transportation service it provides;

(2) The definitions of 49 CFR part 605 apply to this school transportation agreement; and

(3) A violation of this school transportation agreement may require corrective measures and imposition of penalties, including debarment from the receipt of further Federal assistance for transportation.

## **16. Demand Responsive Service**

An Applicant seeking direct Federal assistance to support demand responsive service must provide the following certification. FTA may not award Federal assistance directly to an Applicant to support its demand responsive service until the Applicant provides this certification by selecting Category ``09."

As required by U.S. DOT regulations, ``Transportation Services for Individuals with Disabilities (ADA)," at 49 CFR 37.77, the Applicant certifies that its demand responsive service offered to persons with disabilities, including persons who use wheelchairs, is equivalent to the level and quality of service offered to persons without disabilities. When viewed in its entirety, the Applicant's service for persons with disabilities is provided in the most integrated setting feasible and is equivalent with respect to: (1) Response time, (2) fares, (3) geographic service area, (4) hours and days of service, (5) restrictions on trip purpose, (6) availability of information and reservation capability, and (7) constraints on capacity or service availability.

## **17. Alcohol Misuse and Prohibited Drug Use**

If the Applicant is required by Federal regulations to provide the following certification concerning its activities to prevent alcohol misuse and prohibited drug use in its transit operations, FTA may not provide Federal assistance to that Applicant until it provides this certification by selecting Category ``10."

As required by FTA regulations, ``Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations," at 49 CFR part 655, subpart I, the Applicant certifies that it has established and implemented an alcohol misuse and anti-drug program, and has complied with or will comply with all applicable requirements of FTA regulations, ``Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations," 49 CFR part 655.

## **18. Interest and Other Financing Costs**

An Applicant that intends to request reimbursement of interest or other financing costs incurred for its capital projects must provide the following certification. FTA may not provide assistance to support those costs until the Applicant provides this certification by selecting Category ``11."

In compliance with 49 U.S.C. 5307(g), 49 U.S.C. 5309(g)(2)(B), 49 U.S.C. 5309(g)(3)(A), and 49 U.S.C. 5309(n), the Applicant certifies that it will not seek reimbursement for interest and other financing costs unless its records demonstrate that it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, to the extent FTA may require.

## **19. Intelligent Transportation Systems Program**

An Applicant for FTA assistance for an Intelligent Transportation Systems (ITS) project, defined as any project that in whole or in part finances the acquisition of technologies or systems of technologies that provide or significantly contribute to the provision of one or more ITS user services as defined in the National ITS Architecture," must provide the following assurance. FTA may not award any Federal assistance for an ITS project until the Applicant provides this assurance by selecting Category ``12."

In compliance with Section VII of FTA Notice, ``FTA National ITS Architecture Policy on Transit Projects," at 66 Fed. Reg. 1459, January 8, 2001, in the course of implementing an ITS project, the Applicant assures that it will comply, and require its third party contractors and subrecipients to comply, with all applicable requirements imposed by Section V (Regional ITS Architecture) and Section VI (Project Implementation) of that Notice.

## **20. Certification Required for Capital Leasing**

As required by FTA regulations, ``Capital Leases," at 49 CFR 639.15(b)(1) and 49 CFR 639.21, to the extent the Applicant acquires any capital asset by lease financed with Federal assistance authorized for 49 U.S.C. 5307 or section 3037 of TEA-21, 49 U.S.C. 5309 note, the Applicant certifies that:

(1) It will not use Federal assistance authorized for 49 U.S.C. 5307 or section 3037 of TEA-21, 49 U.S.C. 5309 note, to finance the cost of leasing any capital asset until it performs calculations demonstrating that leasing the capital asset would be more cost-effective than purchasing or constructing a similar asset;

(2) It will complete these calculations before entering into the lease or before receiving a capital grant for the asset, whichever is later; and

(3) It will not enter into a capital lease for which FTA can only provide incremental funding unless it has the financial capacity to meet its future obligations under the lease in the event Federal assistance is not available for capital projects in subsequent years.

## **21. Certification Required for the Sole Source Acquisition of an Associated Capital Maintenance Item**

As required by 49 U.S.C. 5325(c), the Applicant certifies that when it procures an associated capital maintenance item as authorized by 49 U.S.C. 5307(b)(1), it will use competition, unless the original manufacturer or supplier of the item is the only source for the item and the price of the item is no more than the price similar customers pay for that item, and will, for each such procurement, maintain sufficient records on file and easily retrievable for FTA inspection.

## **22. Clean Fuels Formula Grant Program Certification**

As required by 49 U.S.C. 5308(c)(2), the Applicant certifies that vehicles financed with Federal assistance provided for the Clean Fuels Formula Program, 49 U.S.C. 5308, will be operated only with clean fuels.

## **SECTION IV: APPLICATION FOR SECTION 5309 CAPITAL ASSISTANCE**

Project Budget Period \_\_\_\_\_

Applicant's Name \_\_\_\_\_

Street Address \_\_\_\_\_ Contact Person \_\_\_\_\_

P. O. Box \_\_\_\_\_ Telephone Number \_\_\_\_\_

City \_\_\_\_\_ Missouri ZIP \_\_\_\_\_

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**Description of Project:** Please check appropriate box (see note below).

- ? General Public Provider
- ? Provider to Persons with ADA disabilities.
- ? Provider to persons with ADA disabilities and elderly persons

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### **Proposed Funding**

Federal	_____	80%
Local	_____	20%
Total	_____	100%

\_\_\_\_\_  
Signature

If the applicant resides in an urbanized area of 50,000 plus population, the metropolitan planning organization in your planning area must be notified. You can contact Mr. Eric Curtit at (573) 751-9082 to obtain the name of the metropolitan planning organization in your area.

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Revised: March 27, 2003

## **Section 5309 Application Checklist**

***The following must be included in the application:***

1. Application for Section 5309 Assistance \_\_\_\_\_
2. Capital Project Budget \_\_\_\_\_
3. Vehicle Roster \_\_\_\_\_
4. Authorizing Resolution \_\_\_\_\_
5. Legal Opinion \_\_\_\_\_
6. Commitment of Local Share \_\_\_\_\_
7. Notice of Public Hearing \_\_\_\_\_
8. Certifications and Assurances (checked and signed) \_\_\_\_\_